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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Applicant's arguments in the Request for Consideration have been fully considered but they are not persuasive. Applicant makes two arguments: first, that "Kalivas et al. in view of Prakash does not disclose or suggest 'adjusting weights assigned to one or more frames for pixels that lie within a blur region near said segment boundary'" (Arguments: pp. 2-4), and second, that "No prima facie rejection has been made in regard to claims 4 and 11 as the Official Notice taken by the Examiner is improper and flawed".

Regarding the alleged failure of the combination of Kalivas et al. and Prakash et al., Applicant finds fault with the alleged mapping of page 4: lines 14-17 of Prakash et al. to the claimed limitation of "adjusting weights assigned to one or more frames for pixels that lie within a blur region near segment boundary". However, it is respectfully submitted that Prakash was not relied on to teach adjusting pixel weights. Instead, pages 4-5 of the Final Rejection of 18 July 2008 states that this limitation was mapped with section 4.2 of the Kalivas reference. The Prakash reference was instead cited to demonstrate the motivation of a person having ordinary skill in the art at the time the invention was made to use the claimed "arbitrarily shaped segments" for motion estimation rather than block-based segmentation. In the combination described in the Final rejection, the weighting of Kalivas et al. is performed on segments determined by the process of Prakash et al. Therefore, the combination of Kalivas et al. and Prakash et al. is proper.

Regarding the alleged improper use of Official Notice in claims 4 and 11, the relevant portions of the book *Compression for Great Digital Video* by Ben Waggoner, published in August 2002, are added to the record. Page 273 states,

A subtle but important distinction in MPEG needs to be made between Open and Closed GOPs. In a Closed GOP, no frame can reference any frame in any other GOP. In an Open GOP, they can. For example, the last frames in a GOP are typically PBB. In a closed GOP, the last B frames can only reference the P-frame before them. In an Open GOP, they can reference the first I-frame of the next GOP, improving their quality. This makes random access slower, but can significantly improve compression efficiency. Files for local playback should always be Open GOP.

Therefore, it is respectfully submitted that the claimed limitation in claim 4 of "determining additional motion across GOP boundaries" and the claimed limitation in claim 11 of motion estimation "between frames that are across a group of pictures (GOP) type boundary" are present in an MPEG Open GOP, known in the prior art at the time of the present invention.

Considering the above, it is believed the rejections should be sustained.

/Mehrdad Dastouri/

Supervisory Patent Examiner, Art Unit 2621